

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

)	
WILLIAM JEWETT, JR.,)	
Petitioner)	
)	
v.)	Civil Action No. 05-11849-GAO
)	
BERNARD BRADY,)	
Respondent)	
)	
)	

PETITIONER'S ASSENTED TO MOTION TO CONTINUE

Petitioner, William Jewett, Jr., respectfully moves this Court to continue the date for filing of his brief herein from October 31, 2007 to December 14, 2007.

As grounds wherefore, petitioner states that the October 31, 2007 date was set at the July 18, 2007 status conference in this case. Since that time, petitioner's counsel has tried two first-degree murder cases in Suffolk Superior Court, *Commonwealth v. Michael Warner*, Suffolk Superior Court No. 2003-10575, which began on August 6, 2007 and continued until August 22, 2007 when a mistrial was declared because the jury could not reach a verdict, and *Commonwealth v. John Tibbs*, Suffolk Superior Court No. 2001-10170, which began on September 18, 2007 and continued until October 19, 2007, when a mistrial was declared because the jury could not reach a verdict. The *Tibbs* case is scheduled to be retried on January 2, 2007; the *Warner* case has not yet been rescheduled. Petitioner's counsel is also scheduled to begin a third murder trial on November 6, 2007, in the case of *Commonwealth v. Patrick Byrne*, Plymouth Superior Court No. 06-00244/001-005, which is anticipated to take approximately two weeks.

As a result of these commitments, counsel needs the requested additional time to properly prepare the brief in this case. There is no prejudice to respondent in allowing this motion, and respondent assents to this motion. It is in the interests of justice that this motion be allowed.

WILLIAM JEWETT, JR.

By his attorney,

/s/ *John H. Cunha Jr.*

John H. Cunha Jr.

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Dated: October 29, 2007

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served via electronic filing upon AAG Eva M. Badway, Attorney General's Office, One Ashburton Place, Boston, MA 02108-1698.

/s/ *John H. Cunha Jr.*

John H. Cunha Jr.